

1907-623 Chancery Causes: J. W. Gibson vs. Z. S. Gibson &
Lee Co

Humphreys

CA-Estate Dispute
T-Property

To the Honorable H. A. W. Skeen, Judge of the Circuit Court for Lee County.

Humbly complaining your orator J. N. Gibson, a citizen of Lee County Virginia would respectfully represent and show unto your honor that under the will of your honor's father among other lands, he became the joint owner with Z. S. Gibson, of a small tract of land containing about three and one-half acres, lying on Indian Creek in Lee County Virginia, and that since that time the said Z. S. Gibson, as your orator is informed, has deeded his half interest in said tract of land to his son J. J. Gibson, and his daughter Lucy Humphreys. although your orator does not find the deed of said Z. S. Gibson to the said J. J. Gibson and Lucy Humphreys upon record.

Your orator and the said Z. S. Gibson, J. J. Gibson, and Lucy Humphreys have been unable to mutually partition said tract of land between them, and it seems they are unable to meet upon a mutual agreement and will thereafter have to invoke the aid of the Court of Chancery in making a partition of said tract of land between the owners thereof.

Your orator would further represent and show unto your honor that he is the owner of other lands adjoining one side of the said three and one-half acre tract of land, and on that account should have his part of said tract of land assigned to him adjoining his own.

Your orator would further represent and show unto your honor that in order to get to the mill it is necessary to pass over the said three and one-half acre tract of land, and it would be necessary in partitioning said tract to allow him a sufficient right of way over said tract of land for the purpose of going to and from said mill.

The prayer therefore of your orator is, that said tract of land be partitioned between the said Z. S. Gibson or his assignees, the said J. J. Gibson and Lucy Humphreys, and to that end prays that commissioners be appointed for that purpose and directed to go upon said tract of land and do equal justice between your orator and the defendants. He prays that the said Z. S. Gibson, J. J. Gibson, and Lucy Humphreys be made parties hereto and be required to answer this bill

but not under oath, that being expressly waived; that a portion of said tract of land to which your orator may be entitled be assigned to him adjoining to his other lands and that a sufficient right of way to the said mill be allowed him in passing from his property to the said mill, and may all other, further and general relief be granted your orator that the nature of his cause and good conscience requires. And he will ever pray &c.

Pennington Broo. P. Q.

J. M. Gibson

vs $\frac{1}{2}$ Rice

J. S. Gibson et al

Dismiss at Rules

1904 2nd April Rules

Dismissed by
order of Plff.